

HONORABLE MICHELLE L. PETERSON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH DRIES,)	Case No. C20-47-MLP
)	
Plaintiff,)	ORDER ON NOTICE OF DEPOSITION
)	DESIGNATIONS RE: RUELLO
v.)	
)	
SPRINKLR, INC., a Delaware corporation,)	
)	
Defendant.)	
)	

Pursuant to Local Civil Rule 32, Plaintiff Joseph Dries and Defendant Sprinklr, Inc. submitted the following deposition designations, objections, and counter designations. Accordingly, the Court rules as follows:

Witness	Plaintiff's Designation	Objection(s)	Defendant's Counter Designation	Objection(s) to Counter-Designation
Ruello, Simone	5:16-19		6:1-3	
Ruello, Simone	7:4-13		7:14-20	
Ruello, Simone	9:19-24		8:15-9:4	
Ruello, Simone	10:6-11:7		9:25-10:5	
Ruello, Simone	11:11-17		11:8-10	
Ruello, Simone	11:22-12:23		12:24-13:1	
Ruello, Simone	13:2-8		14:20-22	
Ruello, Simone	18:18-19:13			
Ruello, Simone	20:5-22	Vague, lack of foundation (FRE		

ORDER ON NOTICE OF DEPOSITION DESIGNATIONS RE: RUELLO - 1

Witness	Plaintiff's Designation	Objection(s)	Defendant's Counter Designation	Objection(s) to Counter-Designation
		602) OVERRULED		
Ruello, Simone	21:15-22			
Ruello, Simone	24:23-25:15	Relevance, character evidence (FRE 401-404), Court's in limine ruling re "investigation" OVERRULED		
Ruello, Simone	25:21-26:5	Relevance, character evidence (FRE 401-404) OVERRULED	26:6-27:6	
Ruello, Simone	27:13-30:18	Relevance, character evidence (FRE 401-404) OVERRULED	30:20-25	
Ruello, Simone	31:16-34:1		31:7-15	
Ruello, Simone	34:18-35:14		34:2-17 (Redact "Regardless of whether it resulted in a formal investigation or not" from 34:9-10)	Hearsay (FRE 801-803) OVERRULED
Ruello, Simone	36:13-18		35:15-36:7, 36:19-25	
Ruello, Simone	37:16-25		38:1-4	
Ruello, Simone	39:12-21		38:10-39:8	
Ruello, Simone	42:21-43:4	Relevance, character evidence (FRE 401-404) OVERRULED	40:1-22; 41: 2-42:20	

Witness	Plaintiff's Designation	Objection(s)	Defendant's Counter Designation	Objection(s) to Counter-Designation
Ruello, Simone	43:24-44:17	Relevance, character evidence (FRE 401-404) OVERRULED	44:20-45:14 (Redact "or harassing" from 45:2)	
Ruello, Simone	46:10-48:14	48:2-3 - Relevance, not a question SUSTAINED	48:15-25	
Ruello, Simone	49:1-24			
Ruello, Simone	50:19-23	Lack of foundation (FRE 602) OVERRULED	53:4-14; 55:14-56:7; 59:24-60:15	
Ruello, Simone	67:17-68:12		61:21-62:2; 63:15-19	
Ruello, Simone	69:23-70:25	70:7-9 and 70:13-15 – Relevance, not a question SUSTAINED	64:10-25	
Ruello, Simone	71:1-11		71:12-15	
Ruello, Simone	71:16-72:6		72:7-14	
Ruello, Simone	75:7-76:6	Lack of foundation (FRE 602) SUSTAINED	73:2-5	
Ruello, Simone	77:1-11	Relevance, lack of foundation (FRE 401-403, 602) SUSTAINED	74:21-75:5	
Ruello, Simone	77:12-79:16			
Ruello, Simone	79:17-81:5	79:6-14, 17 – Relevance, not a question SUSTAINED		
Ruello, Simone	80:2-82:12	Lack of foundation, assumes facts not in evidence (FRE 602) as to 80:6-17 SUSTAINED		

Witness	Plaintiff's Designation	Objection(s)	Defendant's Counter Designation	Objection(s) to Counter-Designation
		81:3-5 – Move to strike as non-responsive OVERRULED		
Ruello, Simone	82:17-84:23	82:23-25 – assumes facts OVERRULED 83:22—84:4 Lack of foundation, calls for speculation (FRE 602) OVERRULED 84:6-9 - form, calls for speculation, relevance OVERRULED		
Ruello, Simone	85:10-86:4	85:18-19 Lack of foundation (FRE 602) OVERRULED	86:7-8, 86:11-18, 86:20-21	
Ruello, Simone	88:3-6			
Ruello, Simone	88:13-90:10	88:21-25 Lack of foundation (FRE 602) OVERRULED		
Ruello, Simone	90:17-91:16	Relevance, lack of foundation (FRE 401-403, 602) SUSTAINED	90:11-16; 91:20-92:6	
Ruello, Simone			28:12-16 (errata) ¹	<i>Hambleton Bros. Lumber Co. v. Balkin Enterprises, Inc.</i> , 397 F.3d 1217, 1226 (9th Cir. 2005) (upholding order

¹ Defendant's designation of this testimony is contingent on the Court's overruling Defendant's objections to any testimony from Ruello's deposition about the destruction of handwritten notes. If the Court sustains Defendant's objections, Defendant will withdraw any designation of Ruello's testimony regarding her handwritten notes.

Witness	Plaintiff's Designation	Objection(s)	Defendant's Counter Designation	Objection(s) to Counter-Designation
				striking deposition corrections and a declaration as a sanction when a party had violated Rule 30(e)). SUSTAINED
Ruello, Simone			29:4-8 (errata) ²	<i>Hambleton Bros. Lumber Co. v. Balkin Enterprises, Inc.</i> , 397 F.3d 1217, 1226 (9th Cir. 2005) (upholding order striking deposition corrections and a declaration as a sanction when a party had violated Rule 30(e)). SUSTAINED
Ruello, Simone			29:17-19 (errata) ³	<i>Hambleton Bros. Lumber Co. v. Balkin Enterprises, Inc.</i> , 397 F.3d 1217, 1226 (9th Cir. 2005) (upholding order striking deposition corrections and a declaration as a sanction when a party had violated Rule 30(e)). SUSTAINED
Ruello, Simone			30:17 (errata) ⁴	<i>Hambleton Bros. Lumber Co. v. Balkin Enterprises,</i>

² *Id.*³ *Id.*⁴ *Id.*

Witness	Plaintiff's Designation	Objection(s)	Defendant's Counter Designation	Objection(s) to Counter-Designation
				<i>Inc.</i> , 397 F.3d 1217, 1226 (9th Cir. 2005) (upholding order striking deposition corrections and a declaration as a sanction when a party had violated Rule 30(e)). SUSTAINED
Ruello, Simone			43:4 (errata) ⁵	<i>Hambleton Bros. Lumber Co. v. Balkin Enterprises, Inc.</i> , 397 F.3d 1217, 1226 (9th Cir. 2005) (upholding order striking deposition corrections and a declaration as a sanction when a party had violated Rule 30(e)). SUSTAINED
Dries, Joseph	Vol 1. 2:1—304:25			
Dries, Joseph	Vol. 2. 2:1—60:25.			

Dated this 18th day of March, 2021.



MICHELLE L. PETERSON
United States Magistrate Judge

⁵ *Id.*